



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,722	11/17/2003	Gary J. Dennis	98048-C1 (BLL-0066C)	2347

36192 7590 03/23/2006

CANTOR COLBURN LLP - BELLSOUTH
55 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002

EXAMINER

BAROT, BHARAT

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/714,722	Applicant(s) DENNIS, GARY J.	
	Examiner Bharat N. Barot	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2006.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-12 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RESPONSE TO REQUEST FOR CONTINUED EXAMINATION (RCE)

1. Claims 1-12 remain for further examination.

The new grounds of rejection

2. Applicants' arguments with respect to claims 1-12 and request for continued examination (RCE) filed on January 09, 2006 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103(a)

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luzeski et al (U.S. Patent No. 6,430,177) in view of Pannu (U.S. Patent No. 6,735,741).
5. Luzeski teaches the invention as claimed including a universal messaging system providing integrated voice, data, and fax services to WEB clients (see abstract).
6. As to claim 1, Luzeski teaches a computer-implemented method for communicating content intended for delivery to a recipient of an electronic mail message having an attached electronic file, containing an identify of a remote server computer (see abstract and figures 1-4) comprising:

responsive to an input signal, accessing the attached electronic file (inbox applet) (figures 1-4 and columns 20-21, Luzeski discloses that an inbox applet is accessed representing an attached file);

obtaining the identity of a remote server computer hosting the content in response to accessing the attached electronic file (applet) (columns 20-21, Luzeski discloses that the message content is accessed from a message server in response to user input);

displaying a launch control; and responsive to a selection of the launch control, displaying the content intended for delivery to the recipient of the electronic mail message by using the identity of the server to establish a connection with the remote server computer (figures 1-3 and columns 5-6, 13-14, and 20-21, Luzeski discloses that the messaging platform server is accessed based on the message ID to retrieve message content).

However, Luzeski does not explicitly teach the step of: executing a script included in the attached electronic file to execute a document view program displaying an instruction message for accessing content and displaying a launch control icon.

Pannu explicitly teaches the steps of: executing a script included in the attached electronic file to execute a document view program displaying an instruction message for accessing content and displaying a launch control icon (column 3 lines 41-64; column 4 lines 35-55; and column 5 lines 25-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Pannu as stated above with the

computer-implemented method for communicating content intended for delivery to a recipient of an electronic mail message of Luzeski because it would have increased the efficiency and processing control to improved the communication and network latency.

7. As to claim 2, Luzeski teaches that the step of displaying the content intended for delivery to the recipient of the electronic mail message comprises the steps of:

launching a browser program; providing the browser program with the identity of a the remote server hosting the content (columns 5-7, Luzeski discloses using a browser program to view message content);

establishing a connection by the browser program with the remote server computer; and displaying the content within a viewing window of the browser program (columns 5-6, Luzeski discloses using a browser to view the email content).

8. As to claim 3, Luzeski teaches that the remote server hosts a web site containing the content intended for delivery to the recipient of the electronic mail message and the attached electronic file only contains instructions for accessing the content at the web site (columns 18-20, ,Luzeski discloses that a web site is accessed for lists of new and old messages and that an applet is identified and downloaded to access the content).

9. As to claim 4, Luzeski teaches that the step of displaying a message contained in the attached electronic file in response to receiving the input signal (columns 19-20).

10. As to claim 5, Luzeski fails to teach the claimed limitation wherein the step of displaying a message contained in the attached electronic file comprises the steps of launching a document-viewing program; displaying the message within a viewing window of the document-viewing program.

However, "Official Notice" is taken that the concept and advantages of launching a document-viewing program in response to a command to display message content is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Luzeski by specifying launching a viewing program to display the content of a message. One would be motivated to do so to allow an Excel formatted attachment to be viewed through an Excel program.

11. As to claim 6, Luzeski teaches that the message of the electronic file attachment comprises a text-based instruction message comprising instructions to aid the recipient's access to the content maintained by the remote server computer (columns 18-20).

12. As to claim 7, Luzeski teaches that the step of opening a browser' program by launching the file attachment from a viewer program to access the content at the remote server computer in response to JavaScript commands contained in the electronic file attachment (columns 19-20, Luzeski discloses that java applets downloaded in response to message selection for viewing the message content).

13. As to claims 8-12, they are also rejected for the same reasons set forth to rejecting claims 1-7 above, since claims 8-12 are merely an apparatus for the method of operation for defined in the claims 1-7.

Art Unit: 2155

Response to Arguments

14. Applicant's arguments have been fully considered. The examiner has attempted to answer (response) to the remarks (arguments) in the body of the Office action.

Contact Information


15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Patent Examiner Bharat Barot

Art Unit 2155

March 10, 2006


BHARAT BAROT
PRIMARY EXAMINER